

AUG 23 2005

**FROMMER LAWRENCE & HAUG LLP**

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**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
Examiner Sheleheda, James R.

**Firm:** U.S. Patent and Trademark Office  
Art Unit 2617

**Facsimile:** (571) 273-8300

**From:** Thomas F. Presson

**Date:** August 23, 2005

**Re:** FLH Ref No.: 450106-02405  
Serial No: 09/700,610

**Number of Pages:** 27  
(including cover page)

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PATENT  
450106-02405IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Fumihiko Nishio, et al.  
 Serial No. : 09/700,610  
 For : TRANSMITTING APPARATUS, RECEIVING APPARATUS,  
 TRANSMITTING AND RECEIVING APPARATUS, TRANSMITTING  
 METHOD, RECEIVING METHOD AND TRANSMITTING AND  
 RECEIVING METHOD  
 Filed : February 20, 2001  
 Art Unit : 2617  
 Examiner : Sheleheda, James R.

745 Fifth Avenue  
 New York, NY 10151  
 Tel: 212-588-0800

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	24	Minus	** = 24	* x	\$50 (25)	= \$ 0
Independent claims	15	Minus	*** = 15	* x	\$200 (100)	= \$ 0
Total additional fee for this amendment						\$

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
 \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
 \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This response is being filed within the \_\_\_\_\_ month following the expiration of the term originally set therefor. This is a petition to request a \_\_\_\_\_ month extension of time. A check covering the cost of the petition is enclosed.  
☐ A check in the amount of \$\_\_\_\_\_ is attached, which covers the cost of ☐ additional claims \_\_\_\_\_ petition for extension of time.  
☐ Charge \$\_\_\_\_\_ to Deposit Account No. 50-0320.  
☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via  
 facsimile to (571) 273-8300 on August 23, 2005.

DeAndre Breeland  
 (Name of person signing transmittal)

Signature

August 23, 2005  
 Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
 Attorneys for Applicant

By:

Thomas F. Presson  
 Reg. No. 41,442  
 Tel: 212-588-0800

U.S. Appln. No. 09/700,610  
Reply to Office Action dated June 23, 2005

AUG 23 2005

PATENT  
450106-02405

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Fumihiko Nishio, et al.  
Serial No. : 09/700,610  
For : TRANSMITTING APPARATUS, RECEIVING  
APPARATUS, TRANSMITTING AND  
RECEIVING APPARATUS, TRANSMITTING  
METHOD, RECEIVING METHOD AND  
TRANSMITTING AND RECEIVING METHOD  
Filed : February 20, 2001  
Art Unit : 2617  
Examiner : Sheleheda, James R.  
Confirmation No : 8152

745 Fifth Avenue  
New York, NY 10151

<p align="center"><b><u>CERTIFICATE OF FACSIMILE</u></b></p> <p>I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 on August 23, 2005.</p> <p><u>DeAndee Breeland</u> (Name of person signing, scan initial)</p> <p><u><i>[Signature]</i></u> Signature</p> <p><u>August 23, 2005</u> Date of Signature</p>
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**AMENDMENT UNDER 37 C.F.R. § 1.116**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on June 23, 2005, having a three-month statutory period for response set to expire on September 23, 2005, please amend the above-identified application as follows.

U.S. Appl. No. 09/700,610  
Reply to Office Action dated June 23, 2005

PATENT  
450106-02405

**Amendments to the Claims** are reflected in the listing of claims, which begins  
on page 3 of this paper.

**Remarks/Arguments** begin on page 23 of this paper.